



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT J.D. STRONG in his )  
capacity as the TRUSTEE FOR )  
NATURAL RESOURCES FOR THE )  
STATE OF OKLAHOMA )

Plaintiff, )

vs. )

Case No. 05-cv-329-GKF-PJC

TYSON FOODS, INC., )  
TYSON POULTRY, INC., )  
TYSON CHICKEN, INC., )  
COBB-VANTRESS, INC., )  
CAL-MAINE FOODS, INC., )  
CARGILL, INC., )  
CARGILL TURKEY )  
PRODUCTION, LLC, )  
GEORGE'S, INC., )  
GEORGE'S FARMS, INC., )  
PETERSON FARMS, INC., and )  
SIMMONS FOODS, INC., )

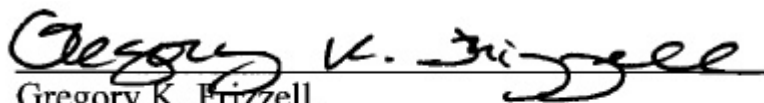
Defendants. )

**JUDGMENT ON PARTIAL FINDINGS**

Pursuant to Federal Rule 52(c), and supported by Findings of Fact and Conclusions of Law filed contemporaneously herewith,

It is ordered that the plaintiff State of Oklahoma recover from defendants nothing on plaintiff's claims 1) of state law nuisance *per se*; 2) of violation of the Resource Conservation and Recovery Act, 42 U.S.C. § 6972; and 3) that bacteria from land-applied poultry litter have polluted the waters of the Illinois River Watershed and that those bacteria pose a risk to human health or the environment. These three claims are hereby dismissed on the merits.

ENTERED at Tulsa, Oklahoma, this 17<sup>th</sup> day of February, 2010.

A handwritten signature in black ink, reading "Gregory K. Frizzell". The signature is written in a cursive style with a horizontal line underneath the name.

Gregory K. Frizzell  
United States District Judge  
Northern District of Oklahoma